

REMARKS

Claims 18-52 are now pending in the application. Claims 1-17 are herein canceled. Claims 35-52 have been added herein. Claims 18, 24, 30, 32 and 34 have been amended herein. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 112

Claim 32 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

The Examiner stated "Claim 32 recites the limitation "the deflectable projections" in line 2. There is insufficient antecedent basis for this limitation in the claim."

Claim 32 has been amended to recite in part "laterally pressing the holder to overcome a resistance of the projections." Support for this amendment is found in the specification, in the paragraph of page 10. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 112, second paragraph rejection of Claim 32.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-5, 7, and 9-12 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Gombert (U.S. Pat. No. 6,494,412). This rejection is respectfully traversed.

Claims 1-5, 7, and 9-12 have been herein canceled, rendering the 35 U.S.C. § 102(e) rejection of these Claims moot.

Claims 1-7, 9-13, 24, 26-28, 30, 31, 33 and 34 stand rejected under 35 U.S.C. § 102(e) as being anticipated by DE1975273. This rejection is respectfully traversed.

It is initially noted Claims 1-7, and 9-13 have been herein canceled, rendering the 35 U.S.C. § 102(e) rejection of Claims 1-7, and 9-13 moot.

It is further initially noted Claim 24 has been amended to recite in part:

“creating a pair of longitudinally separated concave shaped surfaces on a holder element positioned to face away from the vehicle part;

extending a plurality of spring fingers from the holder element opposite from the concave shaped surfaces;

deflecting the holder element adjacent the spring fingers to operably deflect the spring fingers for insertion into the frame;

wherein in an installed condition, the elongated part is operably connected to the concave shaped surfaces of the holder element “

DE1975273 appears not to disclose a holder having a pair of longitudinally separated concave shaped surfaces. DE1975273 appears not to disclose that the holder is deflectable and therefore does not disclose deflecting the holder adjacent the spring fingers to operably deflect the spring fingers for insertion into the frame. DE1975273 further appears not to disclose an elongated part connected to the longitudinally separated concave shaped surfaces. DE1975273 therefore does not anticipate amended Claim 24. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 102(e) rejection of Claim 24. Because Claims 26-28 depend from amended Claim 24, DE1975273 therefore does not anticipate Claims 26-28 for at least the same

reasons. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 102(e) rejections of Claims 26-28.

Claim 30 has been amended to recite in part:

“compressing the holder adjacent the spring fingers to deflect the spring fingers; connecting the elongated part to a pair of longitudinally separated concave-shaped surfaces of the elongated part holder positioned to face away from the vehicle part”.

DE1975273 appears not to disclose a part holder having a pair of longitudinally separated concave shaped surfaces. DE1975273 appears not to disclose that the part holder is compressed to deflect the spring fingers to join the spring fingers to the frame. DE1975273 appears not to disclose connecting an elongated part to the pair of longitudinally separated concave shaped surfaces of the elongated part holder. DE1975273 therefore does not anticipate amended Claim 30. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 102(e) rejection of Claim 30. Because Claims 31 and 33 depend from amended Claim 30, DE1975273 therefore does not anticipate Claims 31 or 33 for at least the same reasons. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 102(e) rejections of Claims 31 and 33.

REJECTION UNDER 35 U.S.C. § 103

Claims 13, 14, 15, 18-24 and 26-33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gombert (U.S. Pat. No. 6,494,412) in view of Chung (U.S. Pat. No. 5,881,800). This rejection is respectfully traversed.

It is initially noted Claims 13, 14 and 15 have been herein canceled, rendering the 35 U.S.C. § 102(e) rejection of Claims 13, 14 and 15 moot.

In addition to the amendments to Claims 24 and 30 noted above, Claim 18 has been amended to recite in part:

“a substantially rectangular-shaped deflectable holder having a pair of distending spring fingers supported from at least one adjacency surface and a pair of longitudinally separated concave shaped surfaces having the concave shaped surfaces oppositely directed from the spring fingers;

wherein in a fastener engaged position, the longitudinally separated concave shaped surfaces of the holder face away from the component part and are adaptable to support an elongated object, the spring fingers are operably engaged with the rectangular-shaped opening by deflection of the deflectable holder”.

Gombert teaches away from longitudinally separated concave shaped surfaces and that the concave shaped surfaces support an elongated object such as a wiring harness. The bridge 16 of Gombert is longer than a distance between extensions 13,13' such that when the plate sections of bridge 16 are pressed downward and displaces about hinges 19,19', 20,20', outer edges 14,14' press against the posts 22,22' to securely lock the bridge against the posts. See column 3, line 37 to column 4, line 12. The support strips 6,6' press downward against the ribbon cable to hold the ribbon

cable between the support strips and the carrier plate 4. See column 3, lines 54-62. The support strips 6,6' "extend downwards at an angle." See column 3, lines 8-10. Gombert therefore teaches away from providing concave shaped surfaces that face outwardly to support an elongated item. Gombert also does not teach or suggest that the bridge which supports the snap-in hooks 21,21' is compressed or deflected in order to deflect the hooks for insertion.

Chung teaches individual complex-shaped heat sink fasteners 20 which have a mother board facing retaining wall 202 which engages in a trough of a heat sink 12. An arrowhead locating bolt 208 provided with the fasteners 20 engages the fastener to a mother board 10. See column 1, line 64 to column 2, line 38.

Chung teaches away from longitudinally separated concave shaped surfaces which face away from a part or part surface or that the concave shaped surfaces support an elongated object such as a wiring harness because concave shaped surfaces which face away from the mother board would not function to retain heat sink 12. Chung also does not teach or suggest that the bottom clamping wall 206 which supports the arrowhead locating bolt 208 is compressed or deflected in order to deflect the hooks for insertion.

The suggested modification of Gombert and Chung therefore does not render amended Claims 18, 24 or 30 obvious. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 103(a) rejection of Claims 18, 24 and 30. Because Claims 19-23 depend from amended Claim 18, Claims 26-29 depend from amended Claim 24, and Claims 31-33 depend from amended Claim 30, the suggested modification of Gombert and Chung therefore does not render Claims 19-23, 26-29 or 31-33 obvious for at least

the same reasons. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 103(a) rejection of Claims 19-23, 26-29 and 31-33.

ALLOWABLE SUBJECT MATTER


The Examiner states that claims 8, 17 and 25 would be allowable if rewritten in independent form. Accordingly, Applicants have added new claims 35-37 which include the limitations of the base claims and any intervening claims. Therefore, claims 35-37 should now be in condition for allowance.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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